IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CRIMINAL WRIT PETITION NO.1181 OF 2007

Shabir Shariff Qureshi & Ors. .... Petitioners
Vs.
State of Maharashtra .... Respondent

Sarvasri S.V. Marwadi with Ganesh Gole for the Petitioners.

Ms A.S. Pai, APP, for the State.

CORAM: R.M.S. KHANDEPARKAR &
Smt. V.K. TAHILRAMANI, JJ.

DATED: JULY 04, 2007

P.C:

1. On oral motion made by the learned Advocate for the petitioner, the petition is allowed to be withdrawn. We make it clear that we have not expressed any opinion on the point of jurisdiction of the Special Court which was sought to be argued on behalf of the petitioners and the said issue is kept open, to be considered in appropriate proceedings. The petition accordingly stands disposed of as withdrawn.

2. In the course of hearing of the matter, we have come across an order passed by the Presiding Officer of the Special Court (MCOCA), Thane, which reads thus:

> "Issue letter requesting Mantralaya to inform which areas are included in

jurisdiction of Sp. Court (MCOCA) Thane immediately."

It is really surprising that Judicial Officers should venture to write letters to Mantralaya to ascertain their jurisdiction. In case there is any doubt about territorial jurisdiction of the Court, nothing prevents the Judicial Officer from contacting the Registry of this Court and to ascertain the same but the tendency of approaching Mantralaya to ascertain the same is not appreciable. The Registry to take note of this fact and to communicate this order to the concerned Judicial Officer along with clarification about the exact territorial jurisdiction of the concerned Court.

(Smt.V.K.Tahilramani, J.) (R.M.S.Khandeparkar, J.)

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